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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 REGINALD D. CLARK,

11 Plaintiff,

12 v.

13 RAY MABUS, *et al.*,

14 Defendants.  
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Case No. 2:08-CV-01458-KJD-LRL

**ORDER**

16 Plaintiff's Amended Complaint (#1) was filed September 1, 2009, before the original  
17 complaint had been served and after being granted three extensions to file an amended complaint.  
18 On January 19, 2010, the Court granted Plaintiff's Motion to Amend/Correct Complaint (#15) which  
19 was filed on January 6, 2010. The Court ordered Plaintiff to file his amended complaint no later than  
20 February 2, 2010, extended the time to serve the complaint until February 26, 2010, and ordered  
21 Plaintiff to provide proof of service in accordance with Federal Rule of Civil Procedure 4(m) no later  
22 than March 15, 2010. Plaintiff failed to file an amended complaint and failed to file proof of service.  
23 The Court dismissed Plaintiff's complaint without prejudice for failure to serve Defendant in  
24 compliance with Rule 4(m) (#17) on March 19, 2010.

25 Now, five months later Plaintiff has filed a Motion for Final Extension of Time to File an  
26 Amended Complaint (#18). Plaintiff seeks an additional sixty (60) days to file and serve an amended

1 complaint. Plaintiff asserts that he was not able to serve the requested amended complaint timely  
2 “due to problems with the process server.” Plaintiff ignores the fact that he has never filed the  
3 requested amended complaint as ordered by the Court. Additionally, Plaintiff has failed to explain  
4 the five month delay in seeking an extension of time. Thus, Plaintiff has failed to demonstrate good  
5 cause for failing to meet the deadlines established by the Court and the Rules. The Court dismissed  
6 this action without prejudice. If Plaintiff wishes to proceed the appropriate action is to file a new  
7 complaint, pay the fees, and serve the complaint.

8 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff’s Motion for Final Extension of  
9 Time to File an Amended Complaint (#18) is **DENIED**.

10 DATED this 6<sup>th</sup> day of October 2010.

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14 Kent J. Dawson  
15 United States District Judge  
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